

MINUTES OF SPECIAL MEETING
CITY OF DANIA BEACH
COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY, FEBRUARY 16, 2011 – 5:00 P.M.

1. Call to Order/Roll Call

Chairman McElyea called the meeting to order at 5:06 p.m.

Present:

Chairman:	C. K. "Mac" McElyea
Vice-Chairman:	Anne Castro
Board Members:	Bob Anton Walter Duke
City Attorney:	Thomas Ansbro
CRA Secretary:	Louise Stilson
CRA Executive Director:	Jeremy Earle

Absent:

Board Member:	Bobbie Grace
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Jeremy Earle, CRA Executive Director, explained the purpose of tonight's Special Meetings. He noted that last Friday we submitted an application to Broward County to receive \$1M from the Redevelopment Capital Program (RCP) funds for a roadway construction project. Director Earle indicated that Cathy Randazzo, Director of the Broward County Planning and Redevelopment Division, advised that a Fifth and Sixth Amendment needed to be executed by the CRA and the City, so that these items could be included in the February 22, 2011, County agenda.

Vice-Chairman Castro motioned to excuse the absence of Board Member Grace; seconded by Board Member Duke. The motion carried unanimously.

Bill Salim, CRA Special Counsel, presented a copy of the proposed Sixth Amendment to the Board members, which extends the expiration of the Interlocal Agreement (ILA) from February 22 to March 1, 2011. He noted a Seventh Amendment to the ILA will also need to be submitted to the County setting the mechanism to fund the additional \$1M, irrespective of when we draw the funds. Attorney Salim advised he understands that the County will deny any component that pertains to landscaping. He also commented that there might be a problem with the expected time of completion of this project. Attorney Salim stated that the real issue tonight is that even if the documents are signed, we have no assurances that the County will approve the Fifth Amendment. He explained that the Commission previously approved the Fifth Amendment on January 25, 2011, for the amount of \$273,790.00 for the gate-arm entry system. Attorney Salim further noted that on February 8, 2011, Attorney Moskowitz informed the Commission that the County approved the Fifth Amendment subject to two changes: the expiration date and the deletion of the forfeiture clause with respect to the \$1M. The County now objects to the removal of the forfeiture clause. He pointed out that if we do not deliver a signed document tomorrow,

this item will not be placed on the February 22 County agenda. Attorney Salim requested the Board approve the Fifth Amendment with the redlining. He noted that the top of page 5 of the Fifth Amendment shows the forfeiture language which he deleted. The County states that they are not necessarily disagreeing that the language should be deleted but that it should be "tweaked". Attorney Salim asked the Board to approve the document in substantial form with the right to "tweak" the forfeiture provision.

Vice-Chairman Castro motioned to approve the Fifth and Sixth Amendments to the ILA, with the CRA Counsel recommendations; seconded by Board Member Duke.

2. Resolution #2011-CRA-003

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY (CRA) AUTHORIZING THE PROPER COMMUNITY REDEVELOPMENT AGENCY OFFICIALS TO EXECUTE A REVISED FIFTH AND SIXTH AMENDMENT TO THE INTERLOCAL AGREEMENT (ILA) EXISTING BETWEEN THE CITY OF DANIA BEACH, THE COMMUNITY REDEVELOPMENT AGENCY AND BROWARD COUNTY, PERTAINING TO COUNTY FUNDING OF INFRASTRUCTURE IMPROVEMENTS PROPOSED FOR THE DANIA BEACH CRA AREA; AMENDING THE ILA TO PROVIDE FOR PARTIAL LOAN TO GRANT CONVERSION; AUTHORIZING THE AMENDMENT AND EXECUTION OF LOAN AGREEMENTS AND PROMISSORY NOTES EXECUTED PURSUANT TO THE SECOND AMENDMENT TO THE ILA, THIRD AMENDMENT TO ILA, FOURTH AMENDMENT TO ILA AND REVISED FIFTH AMENDMENT TO ILA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Bill Salim, CRA Special Counsel, read the title of the revised resolution.

Vice-Chairman Castro motioned to approve Resolution #2011-CRA-003, as amended by CRA Special Counsel; seconded by Board Member Anton. The motion carried on the following 4-0 Roll Call vote:

Board Member Anton	Yes	Vice-Chairman Castro	Yes
Board Member Duke	Yes	Chairman McElyea	Yes

3. Adjournment

Chairman McElyea adjourned the meeting at 5:25 p.m.

ATTEST:



LOUISE STILSON, CMC
CRA SECRETARY

COMMUNITY REDEVELOPMENT
AGENCY


C. K. MCELYEA
CHAIRMAN – CRA

Approved: April 6, 2011